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INDIGENOUS ISSUES

Written statement*/ submitted by the Society for Threatened Peoples, a non-governmental
organization in special consultative status

The Secretary-General has received the following written statement which is circulated in
accordance with Economic and Social Council resolution 1996/31.

[5 February 2001]

*/ This written statement is issued, unedited, as received in English and Spanish from the
submitting non-governmental organization(s).



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ENG

Society for Threatened Peoples would like to draw the attention of the honourable United Nations Commission on Human Rights to the land rights of indigenous peoples with particular reference to European policy.

The European Union is actually working on implementing policies related to indigenous peoples. With respect to indigenous land rights, Society for Threatened Peoples would like to express its concerns, that the European Union's working document on Indigenous Peoples of May 1998 and the Resolution of November 1998 do not properly mention indigenous peoples' right to own their land. Although the working document talks about 'territorial rights', nowhere does it explain what these rights are. Based on many experiences in the past, we are afraid that these 'territorial rights' would be interpreted merely as meaning the right to live in an area and not to own it. Many governments have exploited such vague terms to deny any meaningful land rights at all.

We must draw attention to the reality that throughout the world, indigenous peoples are being killed whenever they have defended their ownership right of the lands and territories they live on and use. The principle of land ownership for indigenous peoples is paramount for their long term survival. The European Union should recognise this by fostering indigenous land titles. These should be in the name of entire communities, not individuals, and must be 'inalienable' so that they cannot be sold. These requirements are vital. United Nations' International Labour Organisation states in its Convention 169 that indigenous (and tribal) peoples' ownership of the lands they occupy must be recognised.

Policies made in Europe are important because they will be used as guidelines for other policies, and, if they are weak, they will be misused by governments and companies to maintain destructive development projects on indigenous and tribal land. Therefore, this critical clarification - that European Union's policies would enshrine tribal and indigenous peoples' communal and inalienable ownership of the lands and territories they occupy and use - is urgently needed and vital. Because of the importance of this issue, we would like to ask the UN Commission on Human Rights to encourage the European Union and its member states as well to recognise indigenous land ownership rights and to accordingly reflect these rights throughout its policies; i.e. to demand indigenous land ownership rights as a precondition to European Union loans on areas where tribal and indigenous peoples live, or as a precondition for debt-cancellation.
